

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Alejandro Rivera

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Diana's Bakery Com. Inc.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

) Case No.

20-CV-30104

(to be filled in by the Clerk's Office)

) Jury Trial: (check one)

Yes No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Alejandro Rivera

Street Address

400 Saint James Ave

City and County

Springfield Hampden County

State and Zip Code

Massachusetts 01109

Telephone Number

413-821-4465

E-mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

Defendant No. 1

Name Diana's Bakery
Job or Title (*if known*)
Street Address 120 Bowles Rd.
City and County Agawam, Hampden County
State and Zip Code Massachusetts 01001
Telephone Number 413-786-6336
E-mail Address (*if known*)

Defendant No. 2

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

Defendant No. 3

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

Defendant No. 4

Name
Job or Title (*if known*)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (*if known*)

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its
principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On 2/18/2020, while at work I was held at knife point and threatened by a coworker. No one came to my aid and the police were not called. The situation was terrifying and I feared for my life. Afterwards the offender was simply sent home and I was called into my supervisor's office where I was told that the situation needed to be kept quiet. A few days later I was told that I was no longer needed and was let go with no explanation. My employer failed to provide me with a safe work environment and fired me in an effort to keep this workplace violence situation quiet.

IV.

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

The intensity of this violent situation left me with feelings of anxiety and insecurity and I have been experiencing nightmares. I was fired unexpectedly through no fault of my own and lost my wages and benefits. I couldn't pay my bills or provide for my family. It took quite some time for me to find new employment and I am still struggling to catch up financially. All of this has put tremendous strain on myself and my family. My life, as a result of this event, has been turned upside down and inside out. I am asking for 2.5 million dollars in financial Restitution.

V. **Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. **For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

2/27/20 

Signature of Plaintiff _____
Printed Name of Plaintiff _____

B. **For Attorneys**

Date of signing: _____

Signature of Attorney _____
Printed Name of Attorney _____
Bar Number _____
Name of Law Firm _____
Street Address _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____